Dup

CALIFORNIA ~~STATE~~ BOARD OF HEALTH.

MONTHLY BULLETIN.

Entered as second-class matter August 15, 1905, at the post office at Sacramento, California, under the Act of Congress of July 16, 1894.

Vol. 4. SACRAMENTO, DECEMBER, 1908. No. 7

STATE BOARD OF HEALTH.

MARTIN REGENSBURGER, M.D., *President*, San Francisco
WALLACE A. BRIGGS, M.D., *Vice-President*, Sacramento
F. K. AINSWORTH, M.D. San Francisco
A. C. HART, M.D. Sacramento
O. STANSBURY, M.D. Chico
W. LE MOYNE WILLS, M.D. Los Angeles
N. K. FOSTER, M.D., *Secretary* Sacramento
HON. J. E. GARDNER, *Attorney* Watsonville

STATE BUREAU OF VITAL STATISTICS.

N. K. FOSTER, M.D., *State Registrar* Sacramento | GEORGE D. LESLIE, *Statistician* Sacramento

STATE HYGIENIC LABORATORY.

ARCHIBALD R. WARD, D.V.M., *Director* University of California, Berkeley

STATE FOOD AND DRUG LABORATORY.

M. E. JAFFA, M.S., *Director* University of California, Berkeley

MEAT POISONING EPIDEMIC CAUSED BY BACILLUS ENTERITIDIS (GARTNER).

JAS. J. HOGAN, M.D., M.R.C.S., England.
Agent and Inspector, State Board of Health, Vallejo, California.

On December 5, 1908, the Navy Department launched the Collier "Prometheus" at the Mare Island Navy Yard. Following the event a lunch was served which was partaken of by about 2,500 people; this was paid for by subscription by the merchants and citizens of Vallejo and served by Leon Cohn, a caterer of San Francisco, all of the food having been prepared in San Francisco and shipped to Mare Island.

Twenty-four hours following the lunch a great number of people who had partaken of it became ill, the number increasing each day until nearly 1,000 were ill with the same train of symptoms.

As the guests came from all parts of the State and were prominent in public life, the incident received widespread notoriety, our Governor, Hon. J. N. Gillett, being one of the victims.

Acting under directions from Drs. Martin Regensburger and N. K. Foster, respectively President and Secretary of the State Board of Health, and with the valuable assistance of Medical Director Frank Anderson, Surgeon H. E. Odell and Hospital Steward G. O. Wildasin of the Navy, and my assistant Dr. Minnie Iland, I was able to determine the cause of the trouble.

By excluding one article of diet after another we found that the meat sandwiches were the probable carriers of infection. Those who ate the salad and cold meat did not suffer, but all who were sick gave a history of eating the sandwiches.

It was not until the evening of December 7th that we were able to obtain any of the food. That evening a young lady called at my office to inform me that her mother and three children of the family were very ill. They had eaten some sandwiches on the evening of December 5th; a cousin who had waited on table at the lunch had brought them over, and every member of the family who ate of them was sick. She brought some of the sandwiches to me—three kinds—beef, ham and tongue. I cut a piece of each and dropped it in a tube of buillion. There was nothing wrong with the ham or tongue, but the beef culture contained an active motile bacillus resembling colon; this was carefully plated by Mr. Wildasin, and a bacillus of the typhoid-colon type isolated and by cultivation on different types of media, I believe that we have proven that we have present the bacillus enteritidis of Gartner.

SYMPTOMS.

A history of one case will give a good idea of the symptoms present in all, as in all epidemics some were severely sickened, while others only showed slight discomfort.

Family of Mrs. D. M. C. Aged 38, married, mother of seven children, strong healthy woman, never sick before. Saturday evening, December 5, 1908, a cousin who waited on table at the lunch brought over some of the sandwiches (ham, beef and tongue); three of her children and she herself ate of them. The baby, eleven months old, was given a crust of bread from one of the beef sandwiches and became very ill with vomiting and diarrhea. One of the girls took ill Sunday morning with abdominal pains, nausea, vomiting and diarrhea. The other members of the family were ill by Sunday night, the mother remaining well until Monday night, December 7, 1908. Her first symptoms were nausea, vomiting, severe chills followed by intense pain in the abdomen, headache, cramping of muscles of arms and legs, and severe diarrhea. On December 9th her temperature was 103, pulse 112, and toward evening she became delirious, the delirium lasting three days. She was confined to bed for two weeks, and suffered with pains and cramping of muscles with severe prostration for two weeks more.

This is typical history of all the severe cases.

In addition to the above symptoms, in two of the very severe cases we had a marked urticaria followed by desquamation of hands and feet.

HISTORY OF EPIDEMICS OF MEAT POISONING.

The literature on this subject is very limited, and that obtained is from Novy.

The largest outbreak he reports was in Derby in 1902—210 cases with four deaths, from eating meat pies. Other epidemics have occurred in Germany, England, Belgium, and Holland. In all of these a bacillus resembling the typhoid-colon group was present.

A food epidemic occurred in 1888 in Frankenhausen, the source of the infection was a cow which was slaughtered on account of severe enteritis. Fifty-seven persons became ill from eating the meat; some ate it raw while others had it boiled or roasted. Three only partook of the broth. The symptoms were those of severe gastro-enteritis followed by desquamation; only one person died. Gartner cultivated from the spleen of the fatal case, also from the flesh and intestines of the cow, an organism which he named B. enteritidis. This resembles the colon bacillus in many respects.

Since then epidemics have occurred at Cotta near Dresden, Mosselle, Belgium, Rotterdam, Breslau, Posen, and Durham in England. In all outbreaks a bacillus closely resembling enteritidis was found to be the cause of the infection.

When you consider that there were as many people sickened at Mare Island as in all the previous epidemics reported by Novy, you can imagine the importance of being able to prove the cause of the trouble.

We have cultivated the bacillus obtained from the beef, have injected a rabbit with pure culture (rabbit died in two hours and forty minutes), and the bacillus was isolated from the interior of the spleen. We have differentiated from colon by the different character of growth on blood serum, potato and agar, cultures in litmus milk not producing a fecal odor, and the fact that indol is not produced.

The following table will give the differentiation with the authorities for same:

Colon bacillus.	*Bacillus enteritidis.*
1. Litmus milk-acid cultures have a fecal odor. (Chester.)	1. Litmus milk-acid and decolorized—cultures have no fecal odor.
2. Indol produced. (Chester.)	2. Indol not produced. (Chester.)
3. Blood serum; soft white layer (Sternberg.)	3. Blood serum; gray layer along line of inoculation. (Sternberg.)
4. Potato; yellow and yellowish brown. (Chester.)	4. Moist shining yellowish gray layer. (Sternberg.)
5. Motility; sometimes exhibits independent movement, not very active. (Sternberg.)	5. Motility; very active, exhibits independent movement.
6. Agar; abundant soft white layer. (Sternberg.)	6. Agar; grayish yellow growth. (Sternberg.)

The bacillus we found in this meat could easily be differentiated from colon by its different growth on the above media.

In addition it showed itself to be a very virulent organism killing a rabbit in two hours and forty minutes after an injection of 1 cc.; the rabbit weighed 399 grams.

TREATMENT OF CASES.

Cleaning out the bowels with calomel in divided doses followed by bismuth subnitrate in 10-grain doses, being careful to avoid meats and solid food, usually cleared up the symptoms. Too quick return to albuminous food produced a return of the symptoms.

The blood serum of two of the people sick from this epidemic was tested for its agglutination with B. enteritidis, but with negative result.

CONCLUSIONS.

1. I believe that I have proved that the cause of the epidemic was the B. enteritidis and not the ordinary bacteria of decomposition.

2. That this form of meat poisoning occurs when meat from cows who are suffering with acute intestinal inflammation are killed, and people partaking of it suffer with the symptoms of acute gastro-enteritis; these symptoms are also present even if the meat is well cooked.

3. That the ordinary inspection of meat in the dressed carcass would not show any signs of this disease.

4. The necessity of careful inspection of cattle before and after slaughtering as it is only in this way that cases of meat poisoning of this type could be recognized.

5. Lastly, that it is my belief that many of the so-called cases of typhoid fever and like intestinal troubles are nothing more or less than types of meat infection as the symptoms produced are identical, and it is only by obtaining a blood culture in these cases that a differential diagnosis can be made.

PTOMAINE POISONING.

The word Ptomaine seems to have a charm for a good many people, especially those apparently interested in the use of preservatives in foods. They use the word without any regard to its meaning, and lay all cases of poisoning from food to it. There is no doubt that many cases of sickness are the result of an excessive use of preservatives, but ptomaine gets the credit.

And now H. H. Langdon, a self-styled "food expert" in New York, is filling the papers of California with a ptomaine tale of woe. He gets his inspiration from the Vallejo poisoning and pleads for the use of preservatives in meat and gravely tells us that since the Pure Food Law went into effect that the press dispatches say that there have been 12,812 cases of ptomaine poisoning, of which 440 were fatal. Probably 1,000 of these supposed cases were from Vallejo. This was approximately the number sick, but not one of them was from ptomaine. How many of the other cases were from some cause entirely foreign to ptomaine poison no one can tell, but doubtless most of them were.

A leading San Francisco paper, with the evidence of the inquest obtainable, speaks of "The incident of the ptomaine poisoning at Vallejo." It should be understood by every one that the sickness following the Vallejo lunch was *not* from ptomaine, which is the poison generated by a certain form of decomposition, but from a disease in the animal from which that particular piece of meat was cut and that that disease could not be recognized by an examination of the meat as it hung in the butcher shop. Its only chance of detection was at time of slaughter.

There is such a thing as ptomaine poisoning, but the cases are rare, and the remedy is not the embalming of foods with formalin, boracic acid and kindred preservatives, but in the use of only clean, pure and fresh products. It is not many years ago that the so called "preservatives" came into use. Before then we had no special trouble to "keep" our food. Mother's tomato ketchup kept the year round, and the hams were not preserved with anything but sugar and salt. The tomatoes were fresh, ripe, and clean, and the hams had plenty of time to "cure."

The rush for wealth which crowds upon the market everything, sound and unsound, filthy as well as clean, is responsible for the cases of food sickness. Preservatives may check the decomposition and hide the danger but they can not restore to a normal condition diseased or decomposed food products.

There seems to be a disposition on the part of some to complain of the verdict in the Vallejo poisoning cases, and a desire to have the guilt laid at the door of some particular person. The desire is praiseworthy but its attainment impossible, for it was impossible to know from what animal the meat was taken or where the animal came from. It is an occurrence that may happen soon again and probably will some time, and the only way to avoid it is to inspect the animals at the time of slaughter.

TUBERCULOSIS CURES.

Considerable comment has been made in the newspapers in regard to a recent interview wherein I expressed my doubts of the curative influence of many of the drugs and nostrums that are lauded to cure consumption, and the question is asked "if consumption is incurable why take away the last hope of the patient?"

Consumption is not incurable, and the scientific treatment of the disease with tuberculin I have never criticized. It is the advertised cure that is lauded for a time in the papers only to be forgotten and replaced by another, that I condemn. They destroy the chance of a cure by inducing the patient to rely on something that generally does harm and always takes valuable time. The cure of consumption must depend upon the strengthening of the resisting powers of the patient, and this is gained by good food, outdoor life and exercise far within the limits of exhaustion. Everything that helps nature to resist disease and strengthen the vital forces will help to cure, but anything that depletes the strength—and among those are the usual ingredients of consumption cures, narcotics and stimulants—will rob the patient of the chances he has.

Far be it from me to take the hope from any consumptive. I would increase that hope by showing him the way to better health by the use of what is free to all, pure air, and warning him against the seductive use of alcohol and opium.

N. K. FOSTER.

DEPARTMENT OF VITAL STATISTICS.

GEORGE D. LESLIE, STATISTICIAN.

VITAL STATISTICS FOR DECEMBER.

Births.—The living births registered in December number 2,639, against 2,462 for November. For an estimated State population of 2,019,519, the December total represents an annual birth-rate of 15.4, as compared with 14.9 for November.

The December birth totals were highest for the following counties: Los Angeles, 592; San Francisco, 544; Alameda, 240; Fresno, 118; Santa Clara, 107; Sacramento, 62; Marin, 60; San Bernardino, 59; Orange, 52; and San Diego, 51.

The births registered in the leading freeholders' charter cities in December were: San Francisco, 544; Los Angeles, 406; Oakland, 135; Berkeley, 52; Pasadena, 51; Fresno, 47; Sacramento, 41; Eureka, 35; San Diego, 30; and San Jose and Santa Barbara, each 29.

Marriages.—The marriages reported for December number 1,977, against 2,036 for November, and represent an annual marriage-rate of 11.6, as compared with 12.1 for the preceding month.

The December marriage totals were highest for the following counties: Los Angeles, 416; San Francisco, 308; Alameda, 205; Sacramento, 85; Santa Clara, 84; Marin, 74; Fresno, 60; and San Joaquin, 55.

Deaths.—Exclusive of stillbirths, altogether 2,856 deaths were reported for December, including some delayed returns for previous months. These additional returns make the apparent death-rate of 16.7 for December somewhat above the true annual rate for the month, the rate for November having been 15.0.

The December death totals were highest for the following counties: Los Angeles, 530; San Francisco, 528; Alameda, 282; Sacramento, 122; Santa Clara, 117; Fresno, 109; San Joaquin, 104; San Diego, 77; Sonoma, 67; and Napa, 56.

Deaths for December were reported as follows for the leading cities: San Francisco, 528; Los Angeles, 309; Oakland, 132; Sacramento, 72; San Diego, 64; Stockton, 50; Pasadena, 46; Berkeley, 39; Fresno and San Jose, each 32; Alameda, 30.

Causes of Death.—In December there were 441 deaths, or 15.4 per cent of all, from diseases of the circulatory system, and 397, or 13.9 per cent, from various forms of tuberculosis, heart disease thus leading tuberculosis as in the last few months.

Other notable causes of death in December were diseases of the respiratory system, 350; diseases of the nervous system, 310; violence, 284; diseases of the digestive system, 223; epidemic diseases, 165; cancer, 158; and Bright's disease and nephritis, 153.

As usual, typhoid fever was the leading epidemic disease in the month, causing 57 deaths, with diphtheria and croup, causing 46 deaths, a close second. Next in order were: scarlet fever, 12; measles, 11; influenza, 10; and all other epidemic diseases, 29.

Further details appear in the following table, which gives the number of deaths from certain principal causes reported for California in December, as well as the proportions from each cause per 1,000 total deaths for both December and November:

Cause of Death.	Deaths: December.	Proportion per 1,000.	
		December.	November.
ALL CAUSES	2,856	1,000.0	1,000.0
Typhoid fever	57	20.0	22.2
Malarial fever	7	2.4	1.6
Smallpox	1	0.3	0.8
Measles	11	3.9	2.0
Scarlet fever	12	4.2	6.4
Whooping-cough	5	1.7	1.2
Diphtheria and croup	46	16.1	16.1
Influenza	10	3.5	2.8
Other epidemic diseases	16	5.6	3.9
Tuberculosis of lungs	339	118.7	109.1
Tuberculosis of other organs	58	20.3	18.5
Cancer	158	55.3	55.6
Other general diseases	106	37.1	35.4
Meningitis	40	14.0	14.1
Other diseases of nervous system	270	94.5	81.3
Diseases of circulatory system	441	154.4	161.0
Pneumonia and broncho-pneumonia	261	91.4	70.1
Other diseases of respiratory system	89	31.2	29.8
Diarrhea and enteritis, under 2 years	57	20.0	29.4
Diarrhea and enteritis, 2 years and over	28	9.8	6.0
Other diseases of digestive system	138	48.3	54.4
Bright's disease and nephritis	153	53.6	65.2
Childbirth	28	9.8	6.9
Diseases of early infancy	84	29.4	36.6
Suicide	57	20.0	25.8
Other violence	227	79.5	76.5
All other causes	157	55.0	67.6

Geographic Divisions.—The table below shows the number of deaths from main classes of diseases reported for December for the several geographic divisions of the State, including the metropolitan area, or "Greater San Francisco," in contrast with the rural counties north of Tehachapi:

Geographic Division.	Deaths: December.									
	All Causes	Epidemic Diseases	Tuberculosis (All Forms)	Cancer	Diseases of Nervous System	Diseases of Circulatory System	Diseases of Respiratory System	Diseases of Digestive System	Violence	All Other Causes
The State	2,856	165	397	158	310	441	350	223	284	528
Northern California	432	25	39	10	51	70	66	35	48	88
Coast counties	195	6	18	6	33	30	32	16	19	35
Interior counties	237	19	21	4	18	40	34	19	29	53
Central California	1,670	108	210	104	163	270	198	134	164	319
San Francisco	528	21	74	32	39	76	84	59	58	85
Other bay counties	360	21	43	24	33	78	39	21	29	72
Coast counties	203	12	28	13	18	40	22	8	17	45
Interior counties	579	54	65	35	73	76	53	46	60	117
Southern California	754	32	148	44	96	101	86	54	72	121
Los Angeles	530	26	96	35	72	76	56	40	44	85
Other counties	224	6	52	9	24	25	30	14	28	36
Northern and Central California	2,102	133	249	114	214	340	264	169	212	407
Metropolitan area	888	42	117	56	72	154	123	80	87	157
Rural counties	1,214	91	132	58	142	186	141	89	125	250

DEPARTMENT OF BACTERIOLOGY.

DR. A. R. WARD, DIRECTOR.

Before this Bulletin reaches its readers, the State Hygienic Laboratory will be installed in its new quarters, in the hygiene and pathology building which the University has just finished. The space allotted to the laboratory is sufficient to provide for a staff of four or five assistants, ample provision having been made for incubator and special research rooms. An animal house will be constructed convenient to the laboratory, where mice, guinea pigs, rabbits and dogs can be kept for experimental purposes.

Provision has thus been made for the expansion of the work of the laboratory for several years and it will be possible for the laboratory to undertake problems limited only by the appropriations allotted the Department.

During the last few weeks the State Hygienic Laboratory has been called upon to make a series of examinations of the food which was supposedly the cause of wholesale poisoning at Vallejo some time ago. The samples which were sent to the laboratory consisted of—sardines, ham, tongue, pork, gravy, and cheese. Unfortunately a sample of the beef of which some of the sandwiches were made was not included among those received here. Very careful work was done on this material in an attempt to isolate a ptomaine-producing organism. Guinea pigs and dogs were fed on the meat and several guinea pig inoculations were made, but with no satisfactory results. In all cases the results obtained were negative.

The investigation brought very clearly to mind the importance of exercising greatest care in the collection of specimens for such an examination. Not only should the specimens be taken as nearly as possible from the portions which may have been the cause of such an outbreak, but they should also be a complete representation of all possible sources of infection. Care along these lines in endeavoring to make the specimens thoroughly representative of the existing conditions at the time of infection, and also, in furnishing specimens in sufficient quantity to make a complete examination possible, can not be urged too strongly and will do much toward insuring a satisfactory and accurate report of all such examinations.

Examinations for December.

Diphtheria	179
Tuberculosis	23
Typhoid	10
Water	4
Miscellaneous	4
Total	220

DEPARTMENT OF PURE FOODS AND DRUGS.

PROF. M. E. JAFFA, DIRECTOR.

The work carried on at the Laboratory during the past month has been both analytical and educational, and among the varied lines of investigation, may be mentioned the following:

Spices.—The chemical and microscopical data indicates that the spices as obtained in the market are on the whole, very satisfactory. It is true that there are still offered for sale, impure spices but in the majority of cases, these goods are properly labeled. It is quite generally understood among the manufacturers that any adulteration must be prominently declared on the label. The educational efforts along this line mainly through correspondence, have brought about most excellent results.

Flavoring Extracts.—A large amount of correspondence has been conducted in regard to the matter of extracts in general, and the labels recently collected, prove that the manufacturers are coöperating with the Board of Health to the effect that all extracts not up to the standards of purity as proclaimed by the Secretary of Agriculture, shall be labeled accordingly. The analytical work confirms this statement.

For the guidance of those who have not corresponded with the State Laboratory, it may be said that the ruling of the Board of Health in the matter of labeling extracts, is in accordance with United States Food Inspection Decision 47, a copy of which will be sent anyone upon application to the Director of the Laboratory at Berkeley.

Syrups.—An inspection of the labels on syrups to-day shows a marked difference from those formerly in use. This change has been accomplished mainly through the educational policy. The chemist's reports however, indicate that there is still some adulteration being practiced. It must be thoroughly understood that the adulteration is not, as a rule, of an injurious kind. For instance, the addition of cane syrup to a maple syrup, does not appreciably lower the dietetic value of such a syrup but the added mixture is a pecuniary fraud and therefore a violation of the law. Food Inspection Decisions 75 and 87, reprinted in January and February Bulletins respectively, form the basis of ruling for labeling syrups or mixtures thereof.

Salad Dressing, Pickles, Relishes, Etc.—A number of these materials have been recently examined with the result that several have been found to contain benzoic acid or compound thereof, such use not being declared on the label. It would hardly appear that there should be any excuse for such violations in view of the publicity given to this matter by the press, and also in the Board of Health Bulletin for February, 1908. Food Inspection Decision 102, printed below, relating to the use of sodium benzoate in foods, should be in the hands of all manufacturers of such articles of food.

Colors.—Several samples of colors have been submitted and it would appear from the examination made that the majority of such materials now on the market, conform to Food Inspection Decision 76.

Infant Foods.—It has been stated in previous issues of the Bulletin of the State Board of Health, that one important line of investigations which should be undertaken, is of, nutrition investigations of infants. As an entering wedge, so to speak, for this work, the State Laboratory has inaugurated an investigation of infant foods offered for sale. This is done with the view to be certain that the nutritive value is as it should be and that there be no injurious substances contained therein. In other words, to be certain that the label tells the truth. This line of research will be continued as rapidly as the facilities of the Laboratory will permit.

Drugs.—The examination of drugs has been devoted largely to that of the more important crude, and powdered vegetable drugs of the wholesale drug houses of San Francisco and retail drug dealers around the bay region. Samples have also been received from the southern part of the State. About one third of those collected have proven to be adulterated in some form or another. The conditions in the outlying retail drug stores are especially bad. Mouldy, insect infested drugs and drugs rendered worthless through age are very common. The prevalent mouldy condition of vegetable drugs is due in part to the moist atmosphere about the bay and the lack of heating and drying facilities in the stores.

Further evidence of educational work of the State Laboratory may be found in the fact that during the last month, the Director of the Laboratory was invited to address three different meetings, viz., at Santa Cruz, San Jose, and San Francisco. The object in every case was to give a résumé of the work done at the Laboratory during the past year and also special details on the subject of particular interest to the prospective organization.

It is very gratifying to note the great interest shown at the meetings. This was manifested by the discussion which followed each lecture.

Requests for information are reaching the Laboratory from all points and the most encouraging part of the work are the letters and interviews which help to make clear to the dealer and manufacturer, what the law demands of them. It must be said to the credit of California that the prevailing spirit among the business men seems to be both a willingness and desire to comply with the law. This very fact makes it all the more necessary to closely watch and severely punish those otherwise inclined. This must be done for the protection of the honest manufacturer and dealer as well as for the consumer.

United States Food Inspection Decisions 99, 101, and 102 have been received at the Laboratory since the last issue of this Bulletin. It is thought best to reprint these in full because of the general interest attaching thereto, particularly is this true in the case of numbers 101 and 102.

FOOD INSPECTION DECISION 99.

CHANGE IN FORM OF GUARANTY LEGEND.

(Amending Section *b* of Regulation 9.)

Section 9 of the Food and Drugs Act, June 30, 1906, provides that no dealer shall be prosecuted under the provisions of the act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer, or other party residing in the United States, from whom he purchases such articles, to the effect that the same are not adulterated or misbranded within the meaning of the act. There is a further provision that the guarantor shall, if the goods be adulterated or misbranded within the meaning of the act, be amenable to the prosecutions, fines, and other penalties which would attach in due course to the dealer.

Section *b* of Regulation 9 provides that a general guaranty may be filed with the Secretary of Agriculture by the manufacturer or dealer and be given a serial number, which number should appear on each and every package of goods sold under such guaranty, with the words "guaranteed under the food and drugs act, June 30, 1906."

It is obvious from a reading of section 9 of the act that the guaranty is in no sense a guaranty by the Government, and that it is merely an assumption of responsibility for the character or labeling of the goods by the manufacturer, jobber, or packer. Yet, notwithstanding this plain fact, attempts have been made by some unscrupulous persons to cause the public to interpret the phrase "Guaranteed under the food and drugs act, June 30, 1906," as a guaranty by the Government that the goods upon which the phrase appears are pure and conform, in all respects, with the provisions of the act. This misrepresentation has been scattered broadcast in prominent advertisements in the press, and by means of circulars and billboard posters. Even in the absence of such misrepresentation there can be no doubt that the phrase, unfortunately, is misleading, and is therefore prohibited by the law and should be changed. The Commissioner of Patents has refused to register trademarks of which the phrase formed a part, on the ground that it is misleading and under the law can not be registered. The Board of Food and Drug Inspection for some time has realized that the wording of the guaranty legend should be changed, but it has also been mindful of the fact that the manufacturers and jobbers of the United States have, in the aggregate, large sums of money invested in labels and plates, upon which appears the legend in its present form, a form indorsed by the regulations and copies therefrom in good faith by the owners of these labels and plates. Entirely apart from the expense and loss of property, it is a fact that a change in the form of the legend, without due notice, would seriously embarrass business interests, because the printing and lithographing of new labels will require considerable time.

As a solution of the question, the Board recommends that the guaranty legend be changed so as to show plainly that the guaranty is that of the manufacturer and not of the Government, that the old form of labels now in use representing guaranties already filed with the Department of Agriculture shall be recognized for a term of two years, and that for all guaranties filed with the Department of Agriculture on and after January 1, 1909, the guaranty legend shall read "Guaranteed by [insert name of guarantor] under the food and drugs act, June 30, 1906."

Accordingly the following amendment is proposed to Regulation 9 of the Rules and Regulations for the Enforcement of the Food and Drugs Act:

Section *b* of Regulation 9 is hereby amended to read as follows:

> (*b*) A general guaranty may be filed with the Secretary of Agriculture by the manufacturer or dealer and be given a serial number, which number shall appear on each and every package of goods sold under such guaranty with the words "Guaranteed by [insert name of guarantor] under the food and drugs act, June 30, 1906."

This amendment shall become and be effective on and after January 1, 1909. Labels bearing the form of guaranty legend provided in the original regulations and representing guaranties now on file with the Department of Agriculture may be used for a period of two years, but it is suggested that, as new labels are prepared, the change in the form of guaranty legend should be made.

FOOD INSPECTION DECISION 101.

BENZOATE OF SODA.

Frequent inquiries have been received by the Department in regard to the use of benzoate of soda in foods. The following is typical of this class of inquiries:

> In F. I. D. 89, the position of the National authorities in regard to the use of benzoate of soda is to allow its use in food, pending the report of the Referee Board of Consulting Scientific Experts. Based upon Bulletin 84, Part IV, of the Bureau of Chemistry, issued subsequent to F. I. D. 89, certain manufacturers of food products are representing to the officials of the States, charged with the enforcement of food laws, and to the consuming public generally, that the U. S. Government has condemned the use of benzoate in foods. We write to ask the position of the Department on this subject.

The Department has not changed the position outlined in Food Inspection Decision 89. Pending the determination by the Referee Board of the wholesomeness or unwholesomeness of benzoate of soda, its use will be allowed under the following restrictions:

Benzoate of soda, in quantities not exceeding one-tenth of one per cent, may be added to those foods in which generally heretofore it has been used.

The addition of benzoate of soda shall be plainly stated upon the label of each package of such food.

FOOD INSPECTION DECISION 102.

ENTRY OF VEGETABLES GREENED WITH COPPER SALTS.

Until further notice, vegetables greened with copper salts, but which do not contain an excessive amount of copper and which are otherwise suitable for food, will be allowed entry into the United States, if the label bears the statement that sulphate of copper or other copper salts have been used to color the vegetables.

Food Inspection Decision No. 92 is amended accordingly.

The following is also of interest to manufacturers and dealers of this State as it is an answer to a large number of questions which have been received at the Laboratory bearing on this point:

PATENT OFFICE WILL NOT REGISTER PURE FOOD LAW INSCRIPTION.

The Commissioner of Patents, in a ruling just issued, refuses to grant a trade-mark on a label bearing the inscription "guaranteed under the Pure Food and Drug Acts, June 30, 1906," where such inscription is intended to imply that the Government is responsible for the purity of the goods. It is claimed that hundreds of packers and others throughout the country are so printing their labels as to give this impression, whereas it is held by the officials that the Government simply accepts the assertion of the manufacturer that the goods are pure, subject to investigation. Upon proof that the pure food and drugs act is being violated the goods are subject to confiscation and the manufacturer to punishment.

The following notice of judgments have been received at the Laboratory and copies of same can be had upon application to the Director of the State Laboratory, Berkeley, California:

28. *Adulteration and Misbranding of Pepper.*—Adulterated and misbranded because of additional mixture of foreign substance with the pepper.
29. *Misbranding of a Drug Product (Liquid Sulphur).*—Misbranded as to statements on the label.
30. *Misbranding of a Drug Product (Concentrated Oil of Pine Compound).*—Misbranded for the reason that the composition did not in any way warrant the use of the name "Concentrated Oil of Pine Compound."
31. *Adulteration and Misbranding of Buckwheat Flour.*—Adulterated and misbranded in that maize has been mixed with the Buckwheat.
32. *Misbranding of a Drug Product (Blackburn's Cascara, Wild Lemon, Castor Oil Pills, Compound).*—Misbranded as to quantity of Castor Oil present.
33. *Misbranding of Maple Sirup.*—Misbranded as to proportion of maple sugar in mixture.
34. *Misbranding of Canned Peaches.*—Misbranded as to weight.
35. *Misbranding of Canned Peaches.*—Misbranded as to weight.